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PTO/SB/30 (09-03)

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

|                        |                                   |
|------------------------|-----------------------------------|
| Application Number     | 09/625,886                        |
| Filing Date            | July 26, 2000                     |
| First Named Inventor   | Dominick L. Mastri                |
| Art Unit               | 3721                              |
| Examiner Name          | Scott A. Smith                    |
| Attorney Docket Number | 1695 CIPCON3 (203-1544 CIPCONIII) |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☒ Other Request for Continued Examination

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 21-0550
- a. ☒ The RCE fee required under 37 CFR 1.17(e)
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                               |                                   |               |
|-------------------|-------------------------------|-----------------------------------|---------------|
| Name (Print/Type) | Christopher G. Trainor        | Registration No. (Attorney/Agent) | 39.517        |
| Signature         | <i>Christopher G. Trainor</i> | Date                              | July 19, 2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |                               |      |               |
|-------------------|-------------------------------|------|---------------|
| Name (Print/Type) | Christopher G. Trainor        | Date | July 19, 2004 |
| Signature         | <i>Christopher G. Trainor</i> |      |               |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dominick L. Mastri et al.

Docket: 1695 CIP CON 3  
(203-1544 CIP CON III)

Serial No.: 09/625,886

Examiner: Scott A. Smith

Filed: July 26, 2000

Group Art Unit: 3721

For: SURGICAL STAPLER

Dated: July 19, 2004

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. §1.114**

Sir:

Applicants hereby request continued examination to allow for consideration of the Information Disclosure Statement ("IDS") attached hereto. Included with this request is the aforementioned IDS and authorization to charge Deposit Account 21-0550 the fee set forth in 37 C.F.R. §1.117(e).

Pease charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 19, 2004.

Dated: July 19, 2004

Christopher G. Trainor  
Christopher G. Trainor

petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO

(2) COPIES OF THIS SHEET ARE ENCLOSED.



Respectfully submitted,

*Christopher G. Trainor*

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